

Application No.: 10/062,562

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Applicants have considered the March 7, 2006 Office Action, and the amendments above together with the comments that follow are presented in a bona fide effort to address all issues raised in that Action and thereby place this case in condition for allowance.

Claims 1-5 and 7-10 were pending in this application. In response to the Office Action dated March 7, 2006, claim 1 has been amended and claim 3 has been cancelled. Applicants submit that the present Amendment does not generate any new matter issue. Adequate descriptive support for the present Amendment should be apparent throughout the originally filed disclosure as, for example, the depicted embodiments and related discussion thereof in the written description of the specification, including page 7, lines 13-22 and original claim 3 (now cancelled). Entry of the present Amendment is respectfully solicited. It is believed that this response places this case in condition for allowance. Hence, prompt favorable reconsideration of this case is solicited.

Claims 1-4, and 7-10 were rejected under 35 U.S.C. § 102(e) as anticipated by or in the alternative, under 35 U.S.C. § 103(a) as obvious over Takaya et al. (U.S. Pat. App. Pub. No. 2002/0039667, hereinafter "Takaya"). Applicants respectfully traverse the rejection.

An object of the present claimed subject matter is to provide a high dielectric constant composite material maintaining a high dielectric constant of 15 or above even in the frequency region of 100 MHz to 40 GHz. The present claimed subject matter uses a metal powder which has an average particle size of 5  $\mu$ m or less and the metal powder is subjected to an insulation treatment. As described in the specification, the metal powder of the present claimed subject matter does not suffer energy loss due to skin effect. See pages 6-7 of the specification. However, the metal powder has a large surface area since the average particle size is 5  $\mu$ m or

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less. Therefore, it becomes difficult to fill/load the metal powder in a resin in high density because a viscosity becomes high at the time of filling the metal powders in the resin. Therefore, in-order to fill metal powders (with an average particle size of 5  $\mu\text{m}$  or less) in a resin in high density, the present claimed subject matter uses a surface treatment film. The surface treatment film is chemically bonded with the metal powder and the resin; and is formed on a surface of the insulation treated metal powder included as the essential component of the inorganic filler.

The advantageous effects obtained by the surface treatment film of the present claimed subject matter are clearly demonstrated by comparing Examples 1-8 (in the presence of the surface treatment film) to Comparative Example 6 (in the absence of the surface treatment film), which shows that the composite material was difficult to mix with a resin unless the surface treatment film was provided.

In contrast, Takaya discloses a composite dielectric material in which a spherical metal particle, a surface of which is covered with dielectric material layer, is dispersed into a resin. Takaya fails to disclose or remotely suggest a surface treatment film chemically bonded with resin treated metal powder. Therefore, Takaya fails to identically disclose or remotely suggest a composite material identically corresponding to that defined in independent claim 1. *In re Rijckaert*, 9 F.3d 1531, 28 USPQ2d 1955 (Fed. Cir. 1993). The Examiner is, therefore, requested to reconsider and withdraw the rejection under 35 U.S.C. § 102/103 predicated upon Takaya.

Dependent claim 5 was rejected under 35 U.S.C. § 103(a) as unpatentable over Takaya. Applicants respectfully traverse the rejection. Applicants incorporate herein the arguments previously advanced in traversal of the rejection of under 35 U.S.C. § 102 predicated upon Takaya. Dependent claim 5 is patentably distinct over the applied published application in view

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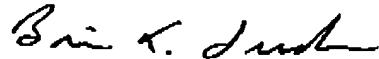
of its dependency form claim 1. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 103 are solicited.

It is believed that all pending claims are now in condition for allowance. Applicants therefore respectfully request an early and favorable reconsideration and allowance of this application. If there are any outstanding issues which might be resolved by an interview or an Examiner's amendment, the Examiner is invited to call Applicants' representative at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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